

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Investigation on the Commission's Own Motion into the Operations and Practices of the Conlin-Strawberry Water Co. Inc. (U-177-W), and its Owner/Operator, Danny T. Conlin; Notice of Opportunity for Hearing; and Order to Show Cause Why the Commission Should Not Petition the Superior Court for a Receiver to Assume Possession and Operation of the Conlin-Strawberry Water Co. Inc. pursuant to the California Public Utilities Code Section 855.

Investigation 03-10-038  
(Filed October 16, 2003)

**ADMINISTRATIVE LAW JUDGE'S RULING  
MODIFYING SCHEDULE FOR PROCEEDING**

A telephonic hearing was held on March 9, 2004, to address the schedule in this proceeding. Cleveland Lee appeared by phone for the Water Division and Tom MacBride appeared for the respondents. The parties and the Administrative Law Judge developed a revised schedule for this proceeding that will allow both parties additional needed time to prepare for hearing. The remaining schedule for this proceeding is as follows:

<b>Event</b>	<b>Date</b>
Water Division to provide two letters: (1) alleged deficiencies in responding to Data Requests 1 & 2; and (2) more specific explanation of documents sought under the March 1 "scope of audit" letter. Based on MacBride's indication that certain records will not be produced, Lee indicates he will file motion to compel information pertaining to Conlin Logging Co. at a later date.	March 10, 2004
MacBride provides Lee those documents and records in response to the March 10 request. Lee reserves all rights re the adequacy of MacBride's submission.	March 17, 2004
Chow and one additional Water Division staff person may conduct on-side audit. Lee has provided advance notice that Chow and assistant will conduct audit on March 23, 24, and 25, 2004.	March 22 - April 2, 2004
Original deadline for Water Division to serve proposed direct testimony is extended to this date. Testimony can include, without limitation, information obtained from audit, DHS, and customers.	April 2, 2004
Original deadline for Conlin to serve rebuttal testimony is extended to this date. Testimony can respond to anything filed by Water Division to date. End of discovery.	April 16, 2004
Filing of motions <i>in limine</i> and any other motion related to trial.	April 28, 2004

Filing of responses to any motions filed on April 28. Parties shall file a joint final PHC statement setting forth issues or facts no longer in dispute, contested issues and facts, witnesses, and proposed order of trial.	April 30, 2004
Final prehearing conference; hearing on pending motions; and marking of exhibits.	May 4, 2004 9:00 a.m. to 12:00 noon
Evidentiary hearing	May 10 - 14, 2004 9:00 a.m. to 12:00noon; 1:30 p.m. - 3:00 p.m. each day
Simultaneous opening briefs	June 4, 2004
Simultaneous responding briefs	June 18, 2004
Submission of proceeding	June 18, 2004
Presiding Officer's decision	August 17, 2004
Deadline for appeal of Presiding Officer's decision	September 16, 2004
Probable Commission consideration of any appeal	September 23, 2004, or thereafter
Unless otherwise indicated, all hearings and conferences will be held in Commission hearing rooms, 505 Van Ness Avenue, San Francisco, CA 94102	

**IT IS RULED** that:

1. The schedule for the remainder of this proceeding is as set forth in the table above.

2. The schedules set forth in the Scoping Memo (January 9, 2004) and the Administrative Law Judge's (ALJ) Ruling (March 2, 2004) are superceded.

3. All other provisions of the Scoping Memo and the ALJ Ruling (March 2, 2004) remain unchanged.

Dated March 11, 2004, at San Francisco, California.

/s/ JOHN E. THORSON

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John E. Thorson  
Administrative Law Judge

## CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Modifying Schedule for Proceeding on all parties of record in this proceeding or their attorneys of record. In addition, service was also performed by electronic mail.

Dated March 11, 2004, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

## N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TTY# 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.